

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ARMSTRONG WORLD INDUSTRIES, INC.,

Plaintiff,

v.

LIBERTY MUTUAL INSURANCE
COMPANY,

Defendant.

Civil Action No. 02-4360

ORDER REGARDING EXTENSION OF TIME

Upon consideration of the Uncontested Motion for Extension of Time filed in the above-captioned case on February 2, 2007, it is hereby

ORDERED that the time within which to reply to Liberty Mutual's Counterclaims is extended to and including March 2, 2007.

SO ORDERED,

R. Barclay Surrick
United States District Court Judge

February __, 2007

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Plaintiff,

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LIBERTY MUTUAL INSURANCE
COMPANY,

Defendant.

Civil Action No. 02-4360

UNCONTESTED MOTION FOR EXTENSION OF TIME

Pursuant to Fed. R. Civ. P. 6(b) and Local Rule 7.1, Armstrong World Industries, Inc. (“Armstrong”) respectfully requests that the time to reply to counterclaims filed by defendant Liberty Mutual Insurance Company (“Liberty Mutual”) in the above-captioned action be extended to and including March 2, 2007. Liberty Mutual does not contest this motion. In support of this uncontested motion, Armstrong states as follows:

1. Armstrong filed a petition for reorganization under chapter 11 of the U.S. Bankruptcy Code on December 6, 2000.
2. The original complaint in this action was filed by Armstrong on July 1, 2002.
3. This action was transferred to the civil suspense docket pursuant to a stipulation and order of this Court dated September 16, 2002.
4. On October 10, 2003, the Court approved a Stipulation and Order that was also approved by the U.S. Bankruptcy Court and the U.S. District Court that were presiding over Armstrong’s chapter 11 case that, among other things, extended the time for Liberty Mutual to

file any counterclaims in this case until 20 days after Liberty Mutual had received notice that Armstrong's plan of reorganization (the "Plan") had become effective.

5. Armstrong's Plan became effective on October 2, 2006.

6. Liberty Mutual filed its counterclaims on October 19, 2006.

7. The Plan provides that, upon the effective date of the Plan, the Armstrong World Industries, Inc. Asbestos Personal Injury Settlement Trust (the "Armstrong Trust") is the successor in interest to certain rights and obligations with regard to the insurance policies at issue in this case.

8. Covington & Burling LLP, which is lead counsel for Armstrong in this action, does not represent the Armstrong Trust but continues to represent Armstrong in connection with Armstrong's obligation to cooperate with the Trust.

9. The parties previously agreed, with the Court's approval, to extend the time for Armstrong or its successor, the Armstrong Trust, to reply to Liberty Mutual's Counterclaims to February 9, 2007, in part to permit the Armstrong Trust to retain counsel.

10. The Armstrong Trust has recently retained Gilbert Heintz & Randolph LLP and Montgomery, McCracken, Walker & Rhoads, LLP to represent its interests in the above-captioned matter and a related case, Case No. 1:04-cv-00499-RBS (the "ADR Vacatur Motion"), also pending before this Court.

11. Motions to substitute the Armstrong Trust for Armstrong in this case and the ADR Vacatur Motion will be filed shortly.

12. Counsel for Armstrong, the Armstrong Trust and Liberty Mutual have conferred and jointly agree that a short extension of time is necessary to allow the Armstrong Trust's counsel to prepare a reply to Liberty Mutual's counterclaim and to give the parties an

opportunity to reach agreement on procedural matters concerning this action and the ADR Vacatur Motion.

13. As stated in the accompanying Certificate of Counsel, Liberty Mutual does not contest the relief sought herein.

For the foregoing reasons, Armstrong respectfully requests that the time to reply to Liberty Mutual's Counterclaims be extended to and including March 2, 2007.

CONRAD O'BRIEN GELLMAN & ROHN, PC

/s/ Frank R. Emmerich Jr

Frank R. Emmerich Jr.
1515 Market Street – 16th Floor
Philadelphia, PA 19102-1916
Telephone: (215) 864-8086
Fax: (215) 864-9620

Counsel for Plaintiff
Armstrong World Industries, Inc.

Dated: February 2, 2007

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CERTIFICATE OF COUNSEL

Pursuant to Local Rule 7.1(b), the undersigned certifies that he has conferred with counsel for Defendant Liberty Mutual Insurance Company and confirmed there is no objection to the relief sought by the accompanying Motion For Extension of Time.

CONRAD O'BRIEN GELLMAN & ROHN, PC

/s/ Frank R. Emmerich Jr.

Frank R. Emmerich Jr.
1515 Market Street – 16th Floor
Philadelphia, PA 19102-1916
Telephone: (215) 864-8086
Fax: (215) 864-9620

Counsel for Plaintiff
Armstrong World Industries, Inc.

CERTIFICATE OF SERVICE

I, Frank R. Emmerich Jr., hereby certify that on February 2, 2007, I caused a copy of the foregoing Uncontested Motion for Extension of Time to be electronically filed and that the pleading was also served by regular mail upon the following:

Edward F. Mannino, Esquire
Akin Gump Strauss Hauer & Feld, LLP
One Commerce Square
2005 Market Street
Suite 2200
Philadelphia, PA 19103

A. Hugh Scott, Esquire
Choate Hall & Stewart
53 State Street
Boston, MA 02109

Gerald V. Weigle, Jr., Esquire
Dinsmore & Schohl
1900 Chemed Center
255 E. Fifth Street
Cincinnati, Ohio 45202

John E. Heintz, Esquire
Gilbert Heintz & Randolph LLP
1100 New York Avenue, N.W.
Suite 700
Washington, DC 20005

Stephen A. Madva, Esquire
Montgomery McCracken, Walker & Rhoads, LLP
123 South Broad Street
Philadelphia, PA 19109

/s/ Frank R. Emmerich Jr.
Frank R. Emmerich Jr.